

**MONTGOMERY TOWNSHIP PLANNING BOARD
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
REGULAR MEETING
DECEMBER 18, 2017**

MINUTES

Chairman Cheskis called the meeting to order at 7:30 p.m. and read the opening statement that adequate notice of the meeting had been posted and sent to the officially designated newspapers.

BOARD MEMBERS PRESENT: Chairman Cheskis; Vice Chairman Matthews; Mr. Conforti; Ms. Davis; Mr. DeRochi; Mayor Trzaska; Mr. Mani; Mr. Wilson; Mr. Glockler, Alternate #1; Mr. Chang, Alternate #2

ALSO PRESENT: Francis Linnus, Board Attorney; Jason Cline, Board Engineer; Emily Goldman, Board Planner; Joseph Fishinger, Board Traffic Engineer; Lori Savron, Planning Director

I. SALUTE TO THE FLAG

II. PUBLIC PARTICIPATION - None

III. RESOLUTION

Case PB-01-17 **Applicant: Country Club Meadows, LLC**
Block 5016 Lots 1 and 3 and Block 5023 Lots 2 and 3
Final Major Subdivision and Site Plan – Area 2 Phase I

A motion to memorialize the resolution was made by Mayor Trzaska, which was seconded by Mr. Conforti. The motion carried on the following roll call vote:

Ayes: Conforti, DeRochi, Matthews, Trzaska, Wilson, Glockler and Chang
Nays: None

Case PB-03-17 **Applicant: Keith Tietjen**
Block 31001 Lots 11.06 and 11.07
Elimination of Prior Resolution condition #2.8

A motion to memorialize the resolution was made by Mr. Conforti, which was seconded by Mr. Mani. The motion carried on the following roll call vote:

Ayes: Cheskis, Conforti, Davis, DeRochi, Mani, Matthews, Glockler and Chang
Nays: None

IV. APPLICATIONS

Case PB-06-17 **Applicant: E1004A, LLC**
Block 34001 Lots 60, 61 & 62
Submission Waivers and Preliminary and Final Major Site Plan with Bulk Variance
Expiration Date – 120 Days from Submission Waiver Approval
Affidavit of Notification and Publication Required

Richard Schatzman, Esquire represented the applicant. Notice was found to be in order. The applicant is requesting a submission waiver from checklist items 23, 34 and 35 to show certain conditions within 200' of the subject property, a design waiver from the number of trees to be planted and the parking space length, a bulk variance for the fence height where a fence is proposed on top of a retaining wall for a total height of 11.15' and preliminary and final major site plan approval for the construction of a Jaguar Land Rover dealership and associated service center. A design waiver is also required for the plantings for every 36 spaces instead of every 30 spaces along the front without a planting island. If approval is granted the lots will be combined into one.

Joshua Kalafer, 55 Lyons Place, Michael Ford, 32 Brower Lane, John Mannino, 64 Courtyard Drive and Gary Dean, 792 Chimney Rock Road were sworn in.

Mr. Ford, Van Cleef Engineering, gave the Board his qualifications and was accepted as an expert engineering witness. Mr. Ford referenced a colored version of the existing conditions plan (Sheet 2) which was marked as Exhibit A-1 and described the existing conditions. The site has access to public water and sewer along Route 206. There are three existing driveways which will be eliminated and one new driveway will be constructed

onto Route 206. A colored version of the site plan showing the proposed conditions was marked as Exhibit A-2. The plan shows the driveway onto Route 206 and a driveway connection to the connector/loop road. Parking is proposed along the Route 206 frontage with a new auto dealership building toward the rear of the property. The plan was prepared in accordance with a redevelopment ordinance adopted by the Township. The ordinance requires parking spaces to be 9 x 20' but includes a caveat that 18' spaces are permitted when a 2' overhang is proposed. All parking spaces will be 9' x 18'. The 2' overhang is provided for all the spaces except a few limited spaces directly in front of the building where there is landscaping and walkway so a waiver is requested for those spaces. The reduction in the parking space length will not interfere with the landscaping.

One of the redevelopment ordinance requirements is a provision that a fence be provided along the side property line from where the building starts to the rear property line, along the entirety of the rear property line and then down the side property line to where the building stops. In order to accommodate the proposed grading there is a small retaining wall immediately at the rear of the property by the service area approximately 2' high which gradually increases to approximately 5' high. With the required 6' fence the total height of the structure is 11.2' which requires a variance.

There is a row of parking immediately adjacent to Route 206 where they exceed the requirement of 30 spaces in a row without a landscaped island. A landscaped island could be installed but they cannot plant trees within it because of the underground stormwater management system. It would be more desirable to have those parking spaces for inventory. Street trees, the green buffer and the continuation of a sidewalk along Route 206 have been provided. There was one parking space that was shown at 8' wide which was a drafting error. All the spaces will be 9' wide.

The stormwater management system is an underground detention basin under the parking. The porous pavement has been eliminated as requested by the Board Engineer. The applicant will use a manufactured treatment device where the water is put through an underground filtration system rather than porous pavement. The basin will be lined with an impermeable membrane. The revised design will be submitted and is subject to the review and approval of the Board Engineer as a condition of any approval.

Brick paver parking spaces are proposed immediately in front of the building in lieu of the standard pavement. They will be constructed to provide for the same structural stability as standard pavement and will be able to accommodate a fire truck. They will be a color that will complement the building.

A waiver is needed for the number of trees. The applicant will either plant more trees on the site or post money into the tree bank. The applicant agrees as a condition of approval to approach the neighbor to see if they would like additional buffering which would be subject to the satisfaction of Mr. Bartolone. The area of encroachment on the PSE & G property would be stabilized and restored to lawn.

There is nothing off-site within 200' of the property that would change the design or create a site plan issue. A Letter of Interpretation has been received by NJDEP and there are no wetlands or wetland buffers on site. There are no critical areas on the site.

Mr. Mannino gave the Board his qualifications and was accepted as an expert architect. Mr. Mannino referenced a colored rendering of the elevations dated December 18, 2017 with revisions to address comments made at the Site Plan/Subdivision Committee meeting which was marked as Exhibit A-3. The first floor is approximately 16,000 square feet which includes a showroom and a small service component. The second floor is approximately 8,000 square feet for office support space and storage. The building exterior is very modern. The two primary materials are a smooth alucobond panel and a corrugated ribbed metal panel in 3 tones of gray. The height of the building to the highest parapet is 30' and the tallest rooftop unit is about 35.5'. The fence will be a metal louvre panel with a similar gray tone to match the building. The gap between the bottom of the wall and fence will be filled in with either fence panels or block.

The proposed signage complies and no variances are requested. Mr. Mannino referenced the exterior elevations plan dated December 11, 2017 which have been revised based on comments received which was marked as Exhibit A-4. The elevations accurately represent the signage. The total square footage of the primary signs is 47.8 square feet. The directional sign will meet the ordinance requirements. The mechanical screening is a metal louvre in a gray tone keeping with the overall aesthetic of the building. There are two secondary signs on the building for a total of 13.3 square feet. The applicant will look at using the retaining wall material to extend it up around the dumpster enclosure and a fence product as the gates on the dumpster.

A flag pole has been added to the colored rendering that was not shown on the prior plans. A variance is required for the flag pole to be a maximum height of 25'. The flag will be 4' x 8'.

The bollards are illuminated to light up the front walkway and the front of the showroom and to act as a barrier so the cars don't extend into the shrubbery. The applicant will coordinate the bollards between the architectural plans and site plans. There will be three charging stations (one station will have two connections) that will be accessible to the public.

Gary Dean gave the Board his qualifications and was accepted as a traffic engineering expert. Mr. Dean prepared a Traffic Impact Statement dated October 17, 2017. Mr. Dean discussed Mr. Fishinger's memo dated November 1, 2017. Bulk car deliveries will not occur on this site. They will be delivered to another site and will be individually transported to the premises. The level of service worksheets have been provided. The level of service will not be improved on Route 206 and will remain consistent with what they currently are. Queuing issues on Route 206 will not always affect the driveway operations. The driveway exit is restricted to only right in and right out and Title 39 will be enforced. Left turns to go north will be permitted from the connector/loop road. Fire trucks and smaller parts delivery trucks can be accommodated on the site. Sight triangles will be provided and the proposed tree locations will be adjusted if needed. A NJDOT permit has been filed. A fire truck can get to the rear of the building but there is not full circulation so the truck will have to back out. The building has internal connections for fire apparatus and the building is sprinklered. The island at the Route 206 entrance is mountable.

Mr. Ford and Mr. Kalafer discussed the remaining issues in the Board professional's memos. The applicant will comply with the stormwater comments. It is hoped that construction will be completed by December, 2018. It is estimated there will be 20-30 employees on site. There will be extensive use of the existing facility. The applicant will submit wastewater calculations to the Township Engineer to determine adequate sewer capacity. A Redevelopment Agreement has been signed by the applicant and the Township. The conditions of the Redevelopment Agreement must be satisfied as a condition of the Board's approval. The applicant is permitted to import or export up to 1,600 cubic yards of soil without having to come back to the Board. The additional required trees will either be planted or money posted to the tree bank. The applicant will work with Mr. Bartolone with regard to the species of trees to be planted. A no left turn sign will be placed at the site driveway. Snow will be pushed off to the side and if there is too much it will be removed off site. Solar panels or a green roof can't be accommodated but the applicant will plant native species subject to the review of Mr. Bartolone. Picnic tables and/or benches will be added to the site.

Mr. Ford referenced Exhibit A-2. There are 67 total parking spaces. Near the sales portion of the building are 14 employee spaces, 22 display spaces, 10 customer parking and 8 demo displays spaces. Near the service portion or south side of the building are 9 spaces for service or loaner cars and 4 for employees.

Mr. Kalafer testified refuse is collected every week or two. Parts delivery will be at the existing location. Overnight vehicle drop off should be minimal because they will try to have customers drop them off at the existing site. The service area hours of operation are 8:00 a.m. to 5:00 p.m. - 7:00 p.m.

At the suggestion of Mr. DeRochi low hedges along the Route 206 frontage will be planted to partially buffer or shield vehicles. The species will be worked out with Mr. Bartolone.

The existing dealership will remain open. It is anticipated that car sales may cease on the existing site and the site will be used for car parking, service and parts storage. The upgrades that were proposed at the existing site have been placed on hold.

Chairman Cheskis opened the meeting to the public. There being no public comment, a motion to close the public hearing was made by Mr. Conforti and seconded by Mayor Trzaska. The motion carried unanimously.

A motion to approve the application subject to the conditions was made by Mr. Wilson and seconded by Mr. Conforti. The motion carried on the following:

Ayes: Cheskis, Conforti, Davis, DeRochi, Mani, Matthews, Trzaska, Wilson and Glockler

Nays: None

The Board took a five minute recess.

Case PB-02-17

Applicant: Tuladhar Educational Services, Inc.

Block 28006 Lot 67

Submission Waiver, Conditional Use, Preliminary and Final Major Site Plan with Bulk Variance

Expiration Date – 120 Days from Submission Waiver Approval

Affidavit of Notification and Publication Required

Sal Anderton, Esquire represented the applicant. Notice was found to be in order. The application is for the construction of a 12,331 square foot Goddard School.

Sanjay Tuladhar, 14 Hunter Drive, the applicant; Erin Witt, 1015 West Ninth Avenue, Goddard School representative; Cheryl Schweiker, 42 Okner Parkway, architect and Gerard Gesario, 42 Okner Parkway, engineer and Corey Chase, 35 Mountain Drive, traffic engineer were sworn in.

Mr. Tuladhar introduced himself to the Board.

Ms. Witt gave the Board her qualifications and was accepted as an expert in childcare design, site development and operations. Ms. Witt testified that there are sixty three Goddard Schools in New Jersey open and five under development. The Real Estate Department reviews potential sites for demographic compatibility and financial compatibility. They do market research to see if there is a demand for it in the community. Childcare licensing is very stringent. Once they get through the land development process and while the building is being constructed they submit to the Department of Children and Families for New Jersey. The application includes an environmental assessment and evacuation procedures. The licensing will have to be a condition of approval since they have to have a Certificate of Occupancy to get the license. There is an entire department within the franchising company that helps applicants through the process. Goddard has standard operating procedures that must be done in order to open a school. One is the installation of a 6' fence around the playground area and there are two types that an owner can choose from. Ms. Witt described the safety and security standards including vehicle protection, biometric scanning and security cameras on the outside of the building. It is preferred that there are no trees within the playground area but if there are they have to be limbed to at least 8'. The operation of the school was described. Schools open anywhere between 6:30 and 7:00 a.m. based upon competitors hours and parent demand. Peak drop off is between 7:00 and 9:00 a.m. The parents are required to walk the children into the building and their classroom. The average drop off time is five to ten minutes. The school offers half day, three quarter day or full day programs Monday through Friday. Pick up can be anywhere from 12:00 p.m. until close (6:30 p.m. to 7:00 p.m.). Some of the schools do a parents night out so there may be random events. Staffing ratio is set by the State. The director of the school has to have a Masters Degree in child related or business field and must be approved by Goddard. The head teachers have a Masters Degree or head teacher endorsement from the State of NJ. The assistant teachers do not have to have the certification but there always has to be one teacher in the room with the certification. A site cannot take teachers from another Goddard location. The maximum number of children that can be in the school is 176. The age ranges from 6 months to 6 years. Parking is separated for staff and parents. Before and after care can go up to 6th grade but they typically see up to 1st and 2nd grade.

Cheryl Schweiker gave the Board her qualifications and was accepted as an expert architect. Drawing SA1.2 Elevations dated October 18, 2017 was marked as Exhibit A-1. Ms. Schweiker described the design of the building which is based on Goddards prototypical design. It is a traditional style with a masonry siding and asphalt shingle roof. There is an entrance canopy to provide protection during pick up and drop off. The masonry is on all four sides of the building. Roof screen is provided for the mechanical equipment. Decorative dormers help break up the roof design. There is no basement or second floor. The vinyl rail on the canopy can be removed if required. Drawing SA-1.3 Rendering dated November 28, 2017 was marked as Exhibit A-2. The use of the vinyl fence over the canopy helps tie together the same element that is on the roof. The roof pitch can be adjusted to reduce the roof structure. The building will be fully sprinklered with a fire alarm system tied to central monitoring. Drawing SA-1.1 Floor Plan undated was marked as Exhibit A-3. Ms. Schweiker explained the floor plan and how the children are dropped off. Each room has an exterior door so there are two means of egress to each classroom. Food will be brought in to the pantry/kitchen area where the staff will warm and serve the food. There is no stove or hot plate so food will not be cooked on site. The triple sink is typically used to sanitize toys. Based on enrollment and need, staff will determine when food service deliveries are necessary. Deliveries are typically one or two times a week with a small box truck or van. The food they store is mostly snacks. Deliveries are made through the main entrance. Drawing E-200 Site Exhibit dated December 1, 2017 (revised 12/4/17) was marked as Exhibit A-4.

Gerry Gesario gave the Board his qualifications and was accepted as an expert civil engineer. Mr. Gesario testified that there is a half-acre of undisturbed wooded area between the playground and the rear lot line. There

is additional undisturbed wooded area beyond their rear lot line. There is approximately 180' from the playground to the property line. Drawing E-300 Aerial Exhibit dated December 1, 2017 (revised 12/4/17) was marked as Exhibit A-5. The property is 3-acres in size and is within the REO-3 zone. There is a 10' conservation easement that runs between the property and Vreeland Drive right-of-way that belongs to the office complex on the other side of Vreeland Drive. Currently on the site there is a single family dwelling and a detached two story wood framed structure that was used for retail. The old in-ground pool has been filled in. The site is predominately wooded. Mr. Gesario referenced Exhibit A-4 to show the proposed building, play areas and parking. The site will be accessed by a single drive off of Vreeland in the same location as the existing drive. It will be widened and modified to accommodate the commercial use and bus and emergency vehicles. Forty-nine parking spots are proposed of which two are ADA accessible as well as one loading space adjacent to the trash enclosure. All spaces are 9' x 18' except the ADA spaces which are 12' x 20'. The access aisles are 24' wide. The play area is 17,600 square feet. The site is considered a major stormwater development and has to address water quantity, water quality and groundwater recharge. There is a single service basin with a sand bottom section. The peak discharge from the basin meets the 50%, 75% and 80% reduction rates when compared to the existing conditions. The basin is approximately 3' deep and will not be fenced in.

Mr. DeRochi commented that the front area needs to be heavily landscaped to hide the basin and the parking lot.

Chairman Cheskis opened the meeting to the public.

Abby Eisner, 19 Milford Place, was sworn in. This proposal is in her backyard. She asked how much landscaping will be along the outside of the fence to help minimize the noise from the children playing outside.

Mr. Gesario testified that in order to plant an evergreen buffer along the fence, additional trees in the wooded area would have to be removed. The Board requested that Mr. Gesario look into it for the next meeting.

Bill Seltenheim, 17 Milford Place, was sworn in. The Board had mentioned that there was a proposal for another school in the area. Mr. Conforti said there is one proposed by Madison Marquette on Route 518 in the vicinity of the Constitution Bank.

The hearing was continued to the January 8, 2018 Planning Board meeting. No further notice is required.

V. MINUTES

September 18, 2017 – Regular Meeting

A motion to approve the minutes was made by Mr. Wilson and seconded by Ms. Davis. The motion carried on the following roll call vote:

Ayes: Cheskis, Matthews, Conforti, Davis, DeRochi, Mani, Wilson, Glockler and Chang

Nays: None

October 2, 2017 – Regular Meeting

A motion to approve the minutes was made by Mayor Trzaska and seconded by Mr. Conforti. The motion carried on the following roll call vote:

Ayes: Cheskis, Conforti, DeRochi, Mani, Trzaska and Glockler

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 10:15 p.m.